

**DLA PIPER LLP (US)**

Amy L. Ruhland  
amy.ruhland@us.dlapiper.com  
303 Colorado Street, Suite 3000  
Austin, TX 78701

Jason M. Hopkins  
1900 N. Pearl Street, Suite 2200  
Dallas, Texas 75201  
Email: jason.hopkins@us.dlapiper.com

*Attorneys for James D. Dondero, Strand  
Advisors, Inc., The Dugaboy Investment Trust,  
and Get Good Trust*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re:

HIGHLAND CAPITAL MANAGEMENT,  
L.P.

Debtor.

Chapter 11

Case N. 19-34054 (SGJ)

**UNOPPOSED MOTION TO CONTINUE HEARING**

James D. Dondero, Strand Advisors, Inc., The Dugaboy Investment Trust and Get Good Trust (collectively, the “Dondero Parties”) file this Unopposed Motion to Amend Order and Continue Hearing, in relation to the Dondero Parties’ Motion to Stay and Motion to Compel Mediation [Docket No. 3752]. By this Motion, the Dondero Parties seek to continue the hearing on the Mediation Motion to July 21, 2023, to accommodate additional time for the Dondero Parties to make the global offer of settlement contemplated in the Proposed Order filed simultaneously

herewith.

## **I. BACKGROUND**

On April 20, 2023, the Dondero Parties filed a Motion to Stay and Motion to Compel Mediation (the “Mediation Motion”). Dkt. 3752. Highland Capital Management, L.P. and the Highland Claimant Trust (together, “Highland”) filed an objection to the Mediation Motion on May 25, 2023. Dkt. 3796. The Court held a hearing on the Mediation Motion on June 26, 2023 at 9:30 a.m. At the close of the hearing, the Court continued the hearing to July 7, 2023, and ordered the parties to take various actions in advance of the continued hearing. Among other things, the Court ordered the Dondero Parties to make a confidential offer of settlement to Highland prior to the continued hearing.

Following the June 26, 2023 hearing, counsel for the parties conferred regarding the contents of a proposed order consistent with the Court’s comments at the hearing. In the course of those discussions, counsel for the Dondero Parties and counsel for Hunter Mountain Investment Trust (“HMIT”) requested additional time to attempt to make a global settlement offer—one that would extend to “all current and prospective litigation and/or affecting the [Debtor and the Highland Claimant Trust (the “Highland Parties”)] (and their current or former officers, directors, employees, affiliates, or other affiliated entities), the Dondero Parties (and their current and former respective officers, directors, employees, affiliates, or other affiliated entities).” Because counsel for the Dondero Parties and HMIT do not represent all entities and individuals involved in litigation with Highland, counsel explained that it would take additional time to confer with other litigants and their counsel if a global offer of settlement is to be made. Counsel for the Debtor agreed to a brief extension of time for that purpose.

## II. RELIEF REQUESTED

The Dondero Parties now request that the continued hearing currently set on July 7, 2023, be continued to **July 21, 2023**, or as soon thereafter as counsel can be heard. This request is made so that the Court will have the benefit of hearing from the parties regarding their respective positions on mediation in light of the settlement offer to be made. The Debtor has indicated its agreement with the short continuance requested.

The Dondero Parties therefore respectfully request that the Court grant this Motion and continue the hearing currently set for July 7, 2023, to July 21, 2023.

Dated: June 28, 2023

Respectfully Submitted,

DLA PIPER LLP (US)

/s/Jason M. Hopkins

Amy L. Ruhland (Rudd)  
Texas Bar No. 24043561  
amy.ruhland@us.dlapiper.com  
303 Colorado Street, Suite 3000  
Austin, TX 78701  
Tele: 512.457.7000

Jason M. Hopkins  
Texas Bar No. 24059969  
1900 N. Pearl Street, Suite 2200  
Dallas, Texas 75201  
Tel: 214-743-4500  
Fax: 214-743-4545  
Email: jason.hopkins@us.dlapiper.com

*Attorneys for James D. Dondero, Strand  
Advisors, Inc., Dugaboy Investment Trust, and  
Get Good Trust*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on June 29, 2023, a true and correct copy of this document was served electronically via the Court's CM/ECF system to the parties registered or otherwise entitled to receive electronic notices in this case.

/s/ Jason M. Hopkins

Jason M. Hopkins